

The opinion in support of the decision being entered today was **not** written for publication and is **not** binding precedent of the Board.

Paper No. 26

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ROBERT D. ROSEMAN

Appeal No. 2000-0983
Application No. 07/883,623

ON BRIEF

Before HAIRSTON, JERRY SMITH, and DIXON, Administrative Patent Judges.
HAIRSTON, Administrative Patent Judge.

DECISION ON APPEAL

This is an appeal¹ from the final rejection of claims 14 through 21.

¹ In a prior appeal in this application, the Board in a decision dated July 20, 1998 affirmed the decision of the examiner rejecting claims 1 through 13 under 35 U.S.C. § 103 based upon the teachings of U.S. Patent No. 5,363,507 to Nakayama et al. In the earlier decision, the Board indicated (Decision, pages 2 and 3) that “any of the computers shown in Nakayama’s Figure 1 can be considered a ‘host’ computer, and that “[a]ny one of those computers is operative to generate a common image for display and modification by all users.”

The disclosed invention relates to a host computer for receiving inputs from a plurality of local computers, for generating a common image from the inputs, and for distributing the common image to the local computers.

Claim 14 is illustrative of the claimed invention, and it reads as follows:

14. A computer system, comprising:

a) a plurality of local computers, each associated with a video camera, a keyboard, and a pointing device, and each computer capable of receiving

- i) video input from its video camera,
- ii) keyboard input from its keyboard, and
- iii) pointer input from its pointer;

b) a single host computer for

- i) receiving said inputs from the local computers;
- ii) generating a common visual image, based on said inputs; and
- iii) distributing the common image to the local computers.

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The references relied on by the examiner are:

Fields ²	4,400,724	Aug. 23, 1983
Nakayama et al. (Nakayama)	5,208,912	May 4, 1993 (filed Nov. 15, 1990)
Nakayama et al. (Nakayama)	5,363,507	Nov. 8, 1994 (filed Aug. 12, 1991)
Shaw et al. (Shaw)	5,611,038	Mar. 11, 1997 (effective filing date Apr. 17, 1991) ³

Claims 14 through 21 stand rejected under 35 U.S.C. § 103 as being unpatentable over Shaw in view of the Nakayama references.

Reference is made to the briefs (paper numbers 22 and 24), an earlier Office Action (paper number 18) and the answer (paper number 23) for the respective positions of the appellant and the examiner.

OPINION

We have carefully considered the entire record before us, and we will reverse the obviousness rejection of claims 14 through 21.

Although we decided in the earlier appeal that any of the computers disclosed by Nakayama '507 can be considered a host computer, the claims on appeal now require the host computer to perform specific tasks, and to share the results of those tasks with other computers. In the

² Although the patent to Fields is listed under the references of record (answer, page 2), it is not recited in the statement of the rejection (paper number 18).

³ Appellant's argument (brief, page 30) that Shaw can not be used as a reference because appellant's filing date precedes Shaw's filing date of August 29, 1994 is without merit because Shaw's effective filing date precedes appellant's filing date.

Nakayama patents, the circular or ring communication path that connects all of the computers prevents any one computer from performing the specifically claimed tasks (column 8, lines 60 through 63 of Nakayama '507, and column 3, lines 11 through 17 of Nakayama '912). According to Nakayama '507 (column 8, lines 60 through 63), input data is propagated to all computers "along the ring logical communication path 37." Thus, we agree with appellant's argument (brief, page 3) that "[e]ach computer receives data from its neighbor, and passes it along to another neighbor." While Shaw discloses that it is well known in the art to physically interconnect audiovisual and other equipment with a computer in a conferencing environment, Shaw is completely silent as to one computer taking on the role of host computer to perform tasks such as those set forth in the claims on appeal. Since none of the computers in the applied references is capable of performing the claimed tasks of the host computer, the obviousness rejection of claims 14 through 21 is reversed.

DECISION

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The decision of the examiner rejecting claims 14 through 21 under 35 U.S.C. § 103 is reversed.

REVERSED

KENNETH W. HAIRSTON
Administrative Patent Judge

JERRY SMITH
Administrative Patent Judge

JOSEPH L. DIXON
Administrative Patent Judge

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